

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6 1445 ROSS AVENUE, SUITE 1200 DALLAS, TX 75202-2733

April 4, 2003

Mr. Michael Schoch Manager, Regulatory/Environmental/Safety Hilcorp Energy Company P. O. Box 61229 Houston, Texas 77208-1229

Re: Expedited Spill Settlement Agreement - Final Order

Docket No. CWA-06-2003-4523

Hilcorp Energy Company

Tank Battery No. 2 Heater Treater

Duck Lake Oil Field, St. Martin Parish, Lousiana

Dear Mr. Schoch:

Enclosed for your records is a copy of the fully executed Complaint and Expedited Settlement Agreement for the oil spill-related violations found at Hilcorp Energy Company Tank Battery No. 2 Heater Treater in the Duck Lake Oil Field, St. Martin Parish, Louisiana.

If you have any questions regarding this matter, please do not hesitate to call me. I may be reached in Dallas at (214) 665-8376.

Sincerely yours,

Roberto L. Bernier

Response and Prevention Branch

Enclosure

CASE CONCLUSION DATA SHEET

NAME James L. Graham, Jr.
PHONE (214) 665-2296
DATE April 4, 2003

A. Case and Facility Background
1. Oeca (Enforcement) Docket Number _06
2. Court Docket/Program docket/Regional Hearing Clerk administrative Number CWA-06-2003-4523
3. Case Name Hilcorp Energy Company
INFORMATION FOR ONE FACILITY: (IF More Than One Facility, See attached Form)
4 (a) EPA-FINDS Facility Number
(b) EPA-PROGRAM Identification Number_
5. Facility Name: Duck Lake Oil and Gas Field, Tank Battery No. 2 Heater Treater, St. Martin Parish, LA
6. Facility Address: Street: P. O. Box 61229 City: Houston State: TX Zip 77208-1229
7. (a) Primary SIC Code 1 3 1 1 (b) Other SIC Codes // // // // // // // // // // // // //
8. Dun & Bradstreet Number
9. EPA Program Contact (s) James L. Graham, Jr. P.E.
EPA LEAD AttorneyEPA Co-Attorney
10. Authorizing Law(s)/Section(s) For Civil/Administrative Action: Law: <u>CWA</u> /Section: <u>311(b)(6)(B)</u>
11. Statute(s) and Section(s) Violated (Not Authorizing Law/Section nor cfr)Law: CWA/Section : 311(b)(3)
12. Action Type:
(a) Consent Decree or Court Order Resolving a Civil Judicial Action
X (b) Administrative Penalty Oder (APO) (With/Without Injunctive Relief)
(c) Superfund Administrative Cost Recovery Agreement
(d) Federal Facility Compliance Agreement (Not Including RCRA Matters)
(e) Field Citation
(f) Administrative Compliance Orders (AO)
(g) Notice of determination
13. Administrative Action Date: Disclosed/Issued/Filed 02/04/03 Final Order: 03/19/03
14. Civil Judicial Action Date: Referred / / Complaint Filed / / Lodged / / Entered / /
15. Was This A Multi-Media Action? (Yes) No (No)
16. Check All That Apply/Make This A Multi-Media Action: Inspection Complaint SEP
17. Was This Action A Part Of A Community-Based/Geographic Initiative? Yes No No
(A) Description(Which Initiative)
18. Was The Agency Activity Taken In Response To Environmental Justice Concerns? Yes No No
If Yes: EJB - Environmental Justice - Minority Population & Low Income EJI - Environmental Justice - Low Income
EJM - Environmental Justice - Minority PopulationEJO - Environmental Justice - Other
19. Was Alternative Dispute Resolution (ADR) Used In This Action? Yes No
B. COMPLIANCE ACTIONS (Non-SEP Related)
20. What action did violator accomplish prior to receipt of settlement/order or will take to return to compliance or meet additional re-
Quirements? This may be due to settlement/order requirements or otherwise required by statute or regulation (e.g. actions re-
Lated to an APO which did not specify compliance requirements). Where separate penalty and/or compliance orders are issued
In connection with same violation(s) report the following information for ONLY one of those orders. Select response(s) from the
Following:
Use Reduction Testing
Industrial Process Change Auditing
Emissions/Discharge Change (install/modify controls) Monitoring Sampling Storage/Disposal Change Recordkeeping X
Storage/Disposal Change Recordkeeping X
Remediation Labeling/Manifesting
Restoration X Reporting
Removal X Information Letter Response
RD/RA Permit Application
Training X Provide Site Access
Site Assessment RI/FS
No Action (Penalty Only)
Other (please describe):
21. Cost Of Actions Described In Item #20. (Actual Cost Data Supplied By Violator Is Preferred Figure Or Estimate).
Physical Actions: \$ Non-Physical Actions: \$ 0
22. (A) Quantitative Environmental Impact Of Actions Described In Item #20

Pollutant	ΓΙΟΝS: Pollutant Code/ICAS #	Amount	Units	(Domoont)	Media
Conditant	Foliulani Code/ICAS #	Amount	Units	(Percent)	Media
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Pollutant Condo Oil	Pollutant Code/CAS #	Amount	Units	(Percent)	Media
Crude Oil	8002059	5	Bbls	_ (%)	
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22 (D) Ovelitative Environme	and all Improved Of Andiana I inter-	1 I II #20 C	-14-00	_ (%)	
22.(B) Quantative Environme	ental impact Of Actions Listed	1 In Item #20. S	elect One O	r More Of The F	Following Observed or Predicted
Human Health Protect	diam. Andreal Description	1 32 D. 1	D.	. 10 1	D
Worker Protection:				ond Compliance	Requirements
	Actual Potential	incr		Awareness	
Ecosystem Protection:		<u> </u>			vt. Knowledge
Environmental Restora	mon/Land Use: Other (p)	iease describe)_			
2 CVEDE EL CEL MAY EL VIII	DOLL COMMENT DESCRICTOR				·
	RONMENTAL PROJECT (SI				
	Check All Appropriate Categor	ries: If No Proc	eed To #28).		
(a) Public Health					
(b) Pollution Preve	ention:				
(1) Equipm	nent/Technology Modifications	S			·
(2) Process	s/Procedure Modification		·		
	: Reformulation/Design				
	aterials Substitution				•
	ed Housekeeping/O&M/Traini	ng/Inventory -c	ontrol		
	ess Recycling			0	
	Efficiency/Conservation				
(c) Pollution Reduc					•
	Restoration And Protection				
(e) Assessments A					
	Compliance Promotion				
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	nning And Preparedness		*	<u> </u>	
(h) Other SEP Cate	egory (Specify)				
24. SEP Description			···		
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	ated By the Project Model Is P	referred. \$			
6. Is Envirohmental Justice A	Addressed By SEP?Yes	No			
6. Is Enviroħmental Justice A 7. (a) Quantitative Environm	Addressed By SEP?Yes nental Impact of SEP; Pollutan	No	icals and /or	· Waste-Streams	, And Amount Of Reductions/
6. Is Envirohmental Justice A	Addressed By SEP?Yes nental Impact of SEP; Pollutan	No	icals and /or	· Waste-Streams	, And Amount Of Reductions/
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6. Is Environmental Justice A 7. (a) Quantitative Environm Eliminations (e.g., Emissi Pollutant (b) Qualitative Environn Human Health Prote	Addressed By SEP? Yes nental Impact of SEP; Pollutanions/Discharges) Pollutant Code/CAS mental Impact Of SEP. Select	No Amount Amount One Or More C	Units Units	(Percent) (%) (%) (%) (%) (%) wing Predicted I	Media
6. Is Environmental Justice A 7. (a) Quantitative Environm Eliminations (e.g., Emissi Pollutant (b) Qualitative Environn Human Health Prote Worker Protection:	Addressed By SEP? Yes nental Impact of SEP; Pollutanions/Discharges) Pollutant Code/CAS mental Impact Of SEP. Select section:	Amount One Or More O Actual Actual	Units Of The Follow Poten Poten	(Percent) (%) (%) (%) (%) (%) wing Predicted Fitial tial	Media
6. Is Environmental Justice A 7. (a) Quantitative Environm Eliminations (e.g., Emissi Pollutant (b) Qualitative Environm Human Health Prote Worker Protection: Ecosystem Protectic	Addressed By SEP? Yes nental Impact of SEP; Pollutanions/Discharges) Pollutant Code/CAS mental Impact Of SEP. Select section:	Amount One Or More O Actual Actual	Units Of The Follow Poten Poten Poten Poten	(Percent) (%) (%) (%) (%) (%) wing Predicted I	Media

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SDWA: \$		TOTAL: \$
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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 6, 1445 ROSS AVENUE, DALLAS, TEXAS 75202-2733

EXPEDITED SPILL SETTLEMENT AGREEMENT

DOCKET NO. <u>CWA-06-2003- 4523</u>	enforcement action for any other past, present, or future violations by the Respondent of Section 311(b)(3) of the Act or of any other federal statute or regulation. By its first signature, EPA ratifies the Findings and Alleged Violations
On <u>August 8, 2002</u> Time	or of any other federal statute or regulation. By its first
At: Hilcorp, Duck Lake Oil & Gas Field, Tank Battery No. 2, Heater Treater, St. Martin Parish, Louisiana	signature, EPA ratifies the Findings and Alleged Violations set forth in the Form.
(Respondent) discharged 5 barrels of oil in violation of Section 311(b)(3) of the Clean Water Act (the Act), as noted on the attached FINDINGS and ALLEGED CIVIL VIOLATIONS FORM (Form), which is hereby incorporated by reference	This Expedited Settlement is binding on the parties signing below, and is effective upon the Superfund Division Director's signature.
incorporated by reference.	APPROVED BY EPA:
The parties are authorized to enter into this Expedited Settlement under the authority vested in the Administrator of EPA by Section 311(b) (6) (B) (i) of the Act, 33 U.S.C.	Jam S Mal Date: 2/4/03 Charles A. Gazda Chief Responses and Proportion Present
EPA by Section 311(b) (6) (B) (i) of the Act, 33 U.S.C. § 1321(b) (6) (B) (i), as amended by the Oil Pollution Act of 1990, and by 40 CFR § 22.13(b). The parties enter into this Expedited Settlement in order to settle the civil violations described in the Form for a penalty of \$500.00.	Chief, Response and Prevention Branch Superfund Division
This settlement is subject to the following terms and conditions:	APPROVED BY RESPONDENT:
Conditions.	Name (print): Michael Schoch
EPA finds the Respondent's conduct is subject to the discharge prohibition of Section 311(b)(3) of the Act, as described in that statute and further described by 40 CFR	Title (print): REG / ENU / SAFETY MER
§ 110.3. The Respondent admits he/she is subject to Section 311(b)(3) and that EPA has jurisdiction over the Respondent	Mll Date 2/18/03
and the Respondent's conduct as described in the Form. Respondent does not contest the Findings, and waives any objections it may have to EPA's jurisdiction. Respondent	Signature
consents to the assessment of the penalty stated above. Respondent certifies, subject to civil and criminal penalties	IT IS SO ORDERED:
Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that it has investigated the cause of the spill, it has cleaned up the spill pursuant to the federal requirements, and it has taken corrective actions that will prevent future spills. The Respondent also verifies that it has sent a	James Mal (7) Date 3/19/03
has cleaned up the spill pursuant to the federal requirements,	Myron O. Knudson, P.E//
and it has taken corrective actions that will prevent future	Director Hetting
certified check for \$ 500.00 payable to the "Oil Spill	Superfund Division /
spills. The Respondent also verifies that it has sent a certified check for \$ 500.00 payable to the "Oil Spill Liability Trust Fund" to: "OPA Enforcement Coordinator, U.	OREREV.11/18/99 R6REV 5/10/01; 9/19/01;11/8/01;2/12/02
S. Environmental Protection Agency, Region 6 (6SF-R), 1445 Ross Avenue, Dallas, Texas 75202-2733." Respondent	
has noted on the penalty payment check "EPA" and the	·
has noted on the penalty payment check "EPA" and the docket number of this case, "CWA-06-2003-4523."	

EBV BEGION AL BEGIONYT HEVBING CLERK 03 HAR 20 AM 9: 20 11:21:3

After this Expedited Settlement becomes effective, EPA will take no further action against the Respondent for the violations of Section 311(b)(3) of the Act described in the Form. However, EPA does not waive any rights to take any

If the Respondent does not sign and return this Expedited Settlement as presented within 30 days of the date of its receipt, the proposed Expedited Settlement is withdrawn without prejudice to EPA's ability to file any other enforcement action for the violations identified in the Form.

Upon signing and returning this Expedited Settlement to EPA, Respondent waives the opportunity for a hearing or appeal pursuant to Section 311 of the Act, and consents to EPA's approval of the Expedited Settlement without further

notice.

CONCURRENCE ROUTING EXPEDITED SPILL ENFORCEMENT PROGRAM

TYPE OF ACTION:	Expedited Spill Settlement Agreement - Final Order
RESPONDENT:	Hilcorp Energy Company St. Martin Parish, Louisiana
Docket No.:	CWA-06-2003-4523
(6SF-R) James L. Gra	ham AB 3/19
(6SF-R) Charles A. G	azda f 9 3/19
(6SF) Myron O. Kr	nudson 3/19
Return to: Robert F. Jones (6SF-)	RO) <u>HE3</u>

Hilcorp St. Martin Ph. Ca.

566/s
4500° EJA